

KENTUCKY MOUNTAINEER.

For the Rights of the Mountain People of Kentucky—Not Their Wrongs.

VOLUME 2. NUMBER 32.

SALYERSVILLE, MAGOFFIN COUNTY, KENTUCKY, THURSDAY, AUGUST 21, 1913.

WHOLE NUMBER 84.

Kentucky Mountaineer.

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EMIN ELAM, - Editor and Publisher.

THURSDAY, AUG. 21, - 1913

IT IS INEVITABLE.

It is with profound regret we print only two pages this week. But, according to the old maxim, "a half loaf is better than no loaf." Our whole mechanical force has been overpowered in a deluge of anxiously-wanted job printing, and consequently handicapped in getting out the paper. Then we are enduring the toil of moving THE MOUNTAINEER office into more commodious quarters, which task would be a test of Job's patience. And there has also been illness in the editor's family. Prithce, bear once with us, for the trials of an editor are voluminous. Since THE MOUNTAINEER has fallen into our own hands we have been planning many improvements. One is to give our patrons an eight page MOUNTAINEER. How much encouragement do we get to do so? Let us hear from all.

Ova, two-year-old daughter of Sam Keeton, of Lickburg, died Monday.

County Clerk F. C. Lacy on Sunday issued a marriage license to Claude Patrick and Mollie Conley.

Mrs. John H. Patrick entertained a large crowd of her friends Monday night at her country home.

Prudence Rice, of Paintsville, and Herbert Price, of Missouri, are visiting Myrtle and Elizabeth Patrick.

The editor and family are now "house-keeping" opposite the Phoenix Hotel, and we invite our friends to call and see us at any time.

Henry Patrick, Earl Stephens and Sam May returned yesterday from West Liberty. Henry had been there on a visit, but the other boys had only gone on an errand.

Our readers are requested to peruse James Deem's big auction sale advertisement. He certainly means to sell. We also printed a lot of bills advertising this big sale.

Some railroad men were registered at the Phoenix Hotel last night, but we could ascertain nothing definite concerning their motive. Is Salyersville to have a railroad, gentlemen?

W. J. Patrick and wife left Monday morning for Cincinnati, Ohio, to lay in another big stock of merchandise. See this auction advertisement sale in this issue. They will be absent several days.

Eljah Cavdill, of Falcon, who has been reported for several weeks as being dangerously ill, died Saturday, and was buried Sunday with Junior honors, several of that order of this place attending the obsequies.

Frank May, of Elk creek, recently sold to Jim Burfield, of this place, a sheep which was undoubtedly the largest ever raised in this county. The animal weighed 250, and was slaughtered for the mutton market.

A thirteen-year-old son of Breck Finks, of the upper Licking river country, was lodged in jail yesterday for alleged housebreaking. Deputy Sheriff Fred Reed will go tomorrow morning to place the lad in the Reform School. The boy's wailing while in jail would freeze the heart of a savage.

Dr. Will May's wife died last night at eight o'clock at her home, near town, from a stroke of paralysis. She had been ill for some time. Her son, Emmett, of Peoria, Ill., arrived yesterday. Other relatives are here to attend the funeral, which will take place this afternoon at four o'clock. Her remains will be laid to rest in the family cemetery. She leaves besides her husband two sons to mourn her loss. We, with everybody in the neighborhood, extend sympathy to the bereaved family.

Prof. J. G. Austin, of Magoffin Institute, desires us to request all who have books from the school library to return them immediately. He is striving to get everything in trim for the opening of school, September 1. We would earnestly urge every young man and woman to come to Magoffin Institute instead of going to some other county. Where is there any logic in leaving Magoffin county to acquire an education when we have every advantage at home? Come to Salyersville for your knowledge!

If this happens to fall under the notice of any good old "print" who would like to enjoy the pleasures of hop—we home—let him sit up and take notice. We do not want a thirty-dollar-a-week city man, but some good old-time fellow who knows the old and twists of a country shop and who would prefer a good home and the salary which usually goes with such a "sit." Boozers will save imagination not to think of it, because we won't tolerate them. Our editorial brothers will bestow a great favor upon us by passing this word along. We need help p. d. q.

DAVIDSON OUT ON BOND

Trials Stop in Clark County Until Fall Session of Court.

"Red Tom" Davidson, on trial at Winchester, charged with engaging in the conspiracy to kill Ed Calahan, of Breathitt county, and in whose case a jury Friday night failed to agree, on Saturday furnished bond of \$5,000 and was released from jail. His bond was signed by Judge J. J. C. Back and Robert Davidson, of Jackson. Judge Benton on Saturday admitted Govan Smith to bond of \$3,000, which was furnished by Prithce Terry, a Commonwealth witness. Both men at once left for Jackson.

Davidson's was the last of the trials for the present, as Clark Circuit court has adjourned for three weeks until the regular September term. The Commonwealth has been able to convict three of the defendants in succession, all of the verdicts having been made by Madison county juries. Starting with Andrew Johnson, a bright-eyed nineteen-year-old boy, penitentiary sentences for life were meted out to Fletcher Deaton, the man whom the Commonwealth claims was behind the plot, and to his son, Jim, who was convicted as one of the gunmen.

Of the three alleged gunmen Dock Smith has made a full confession and is now in jail, while Andrew Johnson and Jim Deaton have been sentenced to the penitentiary for life. Govan Smith, Lish Smith, Dan Deaton and Bob Deaton, defendants, have turned State's evidence. Fourteen besides those already tried are under indictments, charged with having taken part in the conspiracy. Twelve alibi witnesses for the gunmen await trial on indictments charging perjury.

A Thousand Thanks, Colonel!

My congratulations to you gentlemen, to the cue for getting there as County Superintendent of Schools and the other for his making THE KENTUCKY MOUNTAINEER look like a gent of culture on a fine attire. May the good work go on and Smith and Emin be a winning combination for education and uplift.

Yours,
LAMPION.
New York City.

There were thirteen applicants in the county examination for teachers' certificates held last Friday and Saturday. The following merited first-class certificates: Allen Howard, Reuben Hurt, Parnell P. Simer and Jim Hurt. These were granted second-class certificates: Marion Morris, Missouri Arnett and Myrtle Reed.

We have some very good letters from our correspondents this week, but must forego the pleasure of publishing them for the lack of space. Come again next week, friends, with long letters.

Judge and Mrs. John Gardner have the thanks of the editor and his better three-fourths for the best watermelon we have eaten this season. Indeed, the melon was luscious and nice.

Prof. and Mrs. S. S. Elam have been overjoyed with their own smiles and others' congratulations since Friday morning last. It is a splendid nine-pound lassie.

Miss Lula Perkins, of Hazel Green, returned here Tuesday after a week's visit at Pikeville. She left on the Canal City back this morning for home.

Miss Julia Fairchild, of Medway, Ohio, who has been visiting in this community for some time, left this morning via Paintsville for home.

Remember that we have old papers for sale at only twenty cents a hundred.

W. F. KLAIR, President

JOHN GUND, Vice-President

LELAND HOTEL

INCORPORATED

LEON B. SMITH, Manager

CHAS. M. PARRISH, Chief Clerk

AMERICAN PLAN \$2 AND \$2.50 PER DAY.

CORNER SHORT AND LIMESTONE STREETS, LEXINGTON, KY.

GEO. CARPENTER, President.

A. T. PATRICK, Vice-President.

E. L. STEPHENS, Cashier

W. R. MAY, Asst. Cashier

THE SAYERSVILLE NATIONAL BANK, Salyersville, Kentucky.

CAPITAL, \$25,000.00
SURPLUS, 9,000.00
UNDIVIDED PROFITS, 1,500.00

BOARD OF DIRECTORS.

JEFF PRATER,
GEO. CARPENTER,
W. L. MAY,

A. T. PATRICK,
D. W. GARDNER,
H. H. HACKWORTH,
J. F. PRATER.

Colds

should be "nipped in the bud", for if allowed to run unchecked, serious results may follow. Numerous cases of consumption, pneumonia, and other fatal diseases, can be traced back to a cold. At the first sign of a cold, protect yourself by thoroughly cleansing your system with a few doses of

THE DRAUGHT

the old reliable, vegetable liver powder.

Mr. Chas. A. Ragland, of Madison Heights, Va., says: "I have been using Theodor's Black-Draught for stomach troubles, indigestion and colds, and find it to be the very best medicine I ever used. It makes an old man feel like a young one."

Insist on Theodor's, the original and genuine. E-67

HOGG GIVES UP CONTEST

Senator Will Cease Fight, There Being Little Hope for Nominee.

A Sunday dispatch from Jackson to the daily papers says:

"Walter Hogg, a cousin of Senator E. E. Hogg, this afternoon received a telegram from Senator Hogg, who is at Hazard attending court, saying that he would be willing to have the Democratic Senatorial nomination certificate awarded to Charles D. Arnett if the election board could legally award it or find returns that would justify them in doing so."

"As the Republicans and Progressives have united on a ticket in Morgan county and there is a strong probability of a Fusion ticket also in Breathitt county, Senator Hogg does not believe the outlook any too bright for the nominee in any case and is unwilling to fight any further for the nomination."

Notice.

I hereby notify all deputies that I earnestly request you to come in and make settlement on or before the first day of Circuit Court, Sept. 1. I also ask all parties who have deeds lodged for record to call and get same. I have about 800 deeds which I have recorded, the greater part of which I have paid the State tax myself.

The names of all persons who fail to take their deeds from this office before or during court will be published in the MOUNTAINEER that they may not forget to call for same.

Yours truly,

F. C. LACY,
C. C. M. C.

We have received a reply from Dr. Rube Johnson to Mr. Rube Johnson, and shall publish it next week.

GREAT AUCTION SALE!

AUGUST 30, 1913.

ON AUGUST 30, 1913, I WILL OFFER FOR SALE MY ENTIRE STOCK OF

GENERAL MERCHANDISE

AT MY STORE, ONE MILE BELOW THE MOUTH OF OAKLEY CREEK, ON LICKING RIVER, ON THE NATHAN HOWARD FARM, TO THE HIGHEST AND BEST BIDDER.

I WILL TRY FIRST TO SELL THE ENTIRE STOCK ALL TOGETHER, AND IF I CANNOT SELL IT THAT WAY I WILL SELL IT SEPARATELY, AND WILL GIVE THE PEOPLE THE GREATEST BARGAINS THEY EVER GOT IN THEIR LIVES. THIS MEANS

I am going to sell at any price

THE PEOPLE SEE FIT TO GIVE ME. SO I WANT YOU ALL TO COME, AS I HAVE SOMETHING FOR EVERYONE.

Everything is subject to Private Sale between now and Sale Day!

I ALSO HAVE THE FOLLOWING TO BE SOLD ON THAT DATE:

1 fine Jersey cow and fine heifer calves.

2 gray mares and 1 fine mule colt.

All my household and kitchen furniture.

1 new disc harrow.

Plows, wagons, chains, ox yokes and everything that goes to make up a logging outfit, and many things too numerous to mention.

TERMS OF SALE: ALL OVER \$25, SIX MONTHS, WITH APPROVED SURETY, AT 8 PER CENT INTEREST; \$100 AND UP, TIME AS ABOVE TERMS.

YOURS TRULY,

James Deem.

Great

Auction Sale!

Monday, September 1,

at

W. J. Patrick's Store

Mammoth

DON'T MISS IT! - ONE DAY ONLY!

Professional Cards.

RYLAND C. MUSICK,

Attorney and Counselor at Law.

JACKSON, KY.

Civil and Criminal Practice in the State and Federal Courts.

Dr. W. C. Connelley

PHYSICIAN AND SURGEON

Calls answered day or night.

Residence on Elk Creek,

one mile from town.

CALL BY PHONE.

JOHN H. GARDNER,

ATTORNEY-AT-LAW.

Practices in all the Courts.

SALYERSVILLE, KY.

Kinley Reed, of Gifford, was brought to Dr. Kash's sanitarium this morning to be treated for kidney trouble.

Magoffin Institute

OPENS SEPTEMBER 1, '13

A CHRISTIAN SCHOOL

of

HIGH GRADE FOR BOYS AND GIRLS

TUITION.....\$2.50 per month
MUSIC.....\$2.50 per month

J. G. AUSTIN, A. B., President.

State Normal A Training School for Teachers.

COURSES: Preparatory, State Certificate, Life Diploma, County Certificate, Review, Special.

TUITION FREE TO APPOINTEES.

Expenses Very Low. Ask About it. Artistic Catalogue Free.

Address J. G. CRABBE, President, Richmond, Ky.

Commissioner's Sale!

On Five Years Time

Finest and Largest Farm in Magoffin County.

Situated about six miles above Salyersville, Kentucky, on Licking river, in the heart of the farming section of Magoffin county, and contains about one thousand acres, 200 acres of which is Licking river bottoms, one hundred acres of cleared hill land, and seven hundred acres of timberland. There are approximately five thousand trees of white oak, from 21 inches in diameter up, and large quantities of walnut and other timber on same. The entire tract of land is underlaid with three good veins of coal, 36, 40 and 48 inches thick. This boundary of land is one of the most fertile and productive in Eastern Kentucky.

There will also be offered for sale another tract of land situated about one and one-half miles below Salyersville, on the Licking river, containing about two hundred acres, one hundred of which is cleared and bottom land, and one hundred acres of timber. There is an abundance of white oak, chestnut oak and good poplar on this place. It is convenient to Salyersville, the county seat of Magoffin county, and ideal farming location. Sold on same terms as the above tract.

Magoffin Circuit Court.

Plaintiff,
TONE GARDNER, Com., et al.
vs. B. F. GARDNER, Defendant.
IN EQUITY.

By virtue of a judgment and order of sale of the Magoffin Circuit Court, rendered at the April term, 1913, in the above cause, for the purpose of reinvestment, I shall proceed to offer for sale at the courthouse door, in Salyersville, to the highest and best bidder, at public auction, on Monday, September 1, 1913, at 1 o'clock p. m., or thereabouts, being first day of Circuit Court, upon a credit of One, Two, Three, Four or Five Years, one-fifth of purchase price to be paid One, Two, Three, Four and Five years from date of sale, no bid for less than \$5,000 for the first tract or less than \$17,500 for the second tract, as hereinafter described, will be accepted, but either tract bring the sum or more than the sum, above set out as the minimum price for which same shall be sold, may be sold in pursuance of said order. The tracts will be sold separately and apart and either will be sold as a whole or divided, the Commissioner ascertaining by which method the highest bids can be obtained. The following is a description of the property to be sold:

First Tract.

Lying and being in said county and State on the Main Licking river, about one-half mile below Salyersville, Ky., the same land conveyed to defendant by deed of conveyance from D. G. Sublett and Lula Sublett, his wife, of date the 8th day of Nov., 1906, and recorded the 8th day of Nov., 1906, in deed book No. 20, page 558, Magoffin County Court Records, and being the same land conveyed to D. G. Sublett by D. Sublett, &c., by deed dated 25th day of Oct., 1904, recorded in deed book No. 19, page 268, &c., and also deed of date Oct. 21, 1903, recorded in book No. 17, page 661, Magoffin County Court Records: Beginning on a spruce pine on the upper end of Ivy point on the cliff of bluff on the line of H. G. Gardner; thence a straight course westward to the center of Licking river on the line of the land owned by H. G. Gardner and Tone Gardner's line; thence up Licking river with its meanders to a little piece above a small drain on the southwest side of Licking river at Sarah Gardner's line; thence with said line along and up the hill to a beech on top of the point, running down on the southwest side of the river into the Thomas Prater place; thence a straight line, passing a sink hole and crossing a small drain that flows a west course, and up the hill to three beeches near where the fences join; thence up the center of the point and running with its meanders to the head of the Sugar Camp branch; thence with the top of the ridge around the head of the Sugar Camp branch around to the lines of the land of W. P. Carpenter, which is the

outside line of the land owned by B. F. Gardner, deceased; thence with said line to the Sugar Camp branch to four beeches, one marked "B. F. G." and two "M. W." at the mouth of a small drain; thence down the Sugar Camp branch to Licking river; thence up Licking river to the lands now owned or occupied by H. G. Gardner; thence a straight course with the H. G. Gardner line west to the State road at a big gate at or near the base of the Ivy point; thence with the State road to the top of the hill; thence a straight line to the pine on top of the point at the beginning, this being all of the same land purchased by D. D. Sublett of Mary R. Samuels and Eliza Jordan, it being their entire interest in the Licking Station farm, known as Widow's Dover; also that part bought by D. D. Sublett of B. F. Gardner, Jr., it being his portion of the same lands. It is agreed by all of the parties that the south line of the lands of W. P. Carpenter, as described in the deed of John H. Gardner and wife, is the outside line of the lands owned by B. F. Gardner, deceased. But it is understood that the parties of the first part do not in any way hold themselves responsible for said line, as they are only deeding back to the said B. F. Gardner such land as was embraced in the said deed from B. F. Gardner, Jr., to the said D. G. Sublett, and no more or less, containing about 175 acres.

Second Tract.

One certain tract or parcel of land lying and being in the county and State aforesaid, on both sides of Licking river, Gun creek and its waters and the Big Meadows branch and its waters, containing by estimation and survey about twelve hundred acres, be the same more or less: Beginning on the Yellow bank at a beech, a corner named in a patent of 856 acres of land, granted by the Commonwealth of Kentucky to Abner Salyer, Sr., of date the 3rd day of July, 1849; thence running said patent lines, but reversing the courses of same S 85, E 46 poles to a white oak, N 37, E 27 poles to a white oak on top of a ridge, N 18, W 18 poles to a white oak, N 19, W 62 poles to a sugar tree on the bank of Gun creek and the beginning corner called for in a deed made the 1st day of Feb., 1867, by George Fletcher and wife to Abner Salyer, Sr.; thence running with the calls of said dead up Gun creek with its meanders and binding thereon to an elm, sycamore and white oak marked as a corner on the 25th day of Jan., 1860, by Charles Mann and F. A. Whitaker between the said George Fletcher and said Abner Salyer, Sr., and standing on the banks of main Gun creek opposite the main creek in a ditch which runs thru main Gun creek bottom; thence a straight line running across Gun creek bottom to six elms standing together in a drain near where some wheat stacks now stand at the upper end of said ditch at the foot of the hill; thence running along the foot of the hill to a steep rock standing on the first drain near the mouth thereof, which puts into Bill's fork of Gun creek on the right hand side thereof as you go up same; thence running up the middle of the channel of said drain to its head; thence running a straight line to two small black oaks standing on a bench, and marked as a corner; thence running with a marked line to the top of the point to a hickory and chestnut oak; thence running to the top of the ridge on the right hand side of Bill's fork of Gun creek as you go up same to some large rocks on said ridge, known by the name of Turkey Buzzard Roost, and being at the head of Fletcher Spring branch; thence running the dividing ridge between said Fletcher Spring branch and Bill's fork of Gun creek to the head of Coon hollow, a feeder of the Bill May branch; thence keeping the top of the dividing ridge between Bill's fork of Gun creek and the Bill May branch to the top of the dividing ridge between the waters of the Burning Spring fork of Licking river and the waters of the said Bill's fork of Gun creek; thence running along the last named dividing

Bill's fork of Gun creek and the waters of said Burning Spring fork of Licking river to the head of Big Meadows branch; thence leaving the lines of said deed from George Fletcher and wife to the said Abner Salyer, Sr., and running along the dividing ridge between the Big Meadows branch and its waters and the waters of the Burning Spring fork of Licking river to the head of Mason's branch; thence running dividing ridge between Mason's branch and the Big Meadows branch to the head of the Betsy Haws branch; thence running dividing ridge between the Betsy Haws branch and the said Big Meadows branch down to a beech standing on the forked point between Haws branch and the Big Meadows branch and being the beginning corner called for in a deed from Salyer and wife to Abner Salyer, Sr., dated the 6th day of September, 1851, and being a corner also in the aforesaid patent of 856 acres to the said Abner Salyer, Sr., and being also on the line of a survey of 400 acres made in the name of Samuel Salyer; thence running the courses of said deed, dated the 6th day of Sept., 1851, from the said Samuel Salyer and wife to said Abner Salyer, Sr., but running the lines of the same, and with the conditional line between the said Samuel Salyer and said Abner Salyer, Sr., to Licking river; thence down said river and with its meanders to a beech on the bank of the river S 21, W 36 poles to a beech, S 24, E 38 poles to a beech, S 50, E 46 poles to two white oaks, S 13, E 48 poles to a hickory and white oak on top of the ridge, a corner to the aforesaid patent of 856 acres patented to said Abner Salyer, Sr.; thence running the courses of said patent and running the lines of the same S 65, E 52 poles to a beech, S 59, E 2 poles, S 70, E 19, S 22 poles, S 25, E 14 poles, S 83, E 17 poles, S 26 poles, S 62, E 12 poles, S 89, E 29 poles, S 42, E 97 poles to a stake in said river, N 51, E 4 poles to the beginning. It is supposed by the parties to this indenture that the aforesaid and above described tract or boundary of twelve hundred acres of land, more or less, includes all the land contained in the following tracts and parcels of land, to-wit: One tract of 856 acres patented by the Commonwealth of Kentucky to the said Abner Salyer, Sr., on the 3rd day of July, 1849, and which tract was afterward deeded by M. Risner to said Salyer by deed bearing date of July 22, 1854, which deed is now of record in the Floyd County Court Clerk's office, State aforesaid. One tract of 100 acres patented to E. G. Harris by the Commonwealth of Kentucky on the 4th of February, 1843, and deeded by said Harris to said Abner Salyer, Sr., by deed bearing date of the 20th day of May, 1853, which deed is now of record in the Floyd County Court Clerk's office, State aforesaid. One boundary of land deeded on the 6th day of February, 1851, by Samuel Salyer and wife to the said Abner Salyer, Sr., which deed is also of record in Floyd County Court Clerk's office, State aforesaid. One tract or boundary of land deeded the day by George Fletcher and wife to said Abner Salyer, Sr., for 250 acres, more or less, and this day acknowledged by them before the clerk of the Floyd county court and lodged with him for record, but should it not be so whatever of these said tracts or parcels of land are not included in it, the same is hereby for the consideration above named in addition to the said boundary of 1200 acres, more or less, also bargained, sold and conveyed by the party of the first part to the party of the second part, his heirs and assigns forever. This tract of land is known as the Big Meadows farm.

For the purchase price the purchaser or purchasers with approved securities must execute bond or bonds, bearing legal interest from the day of sale until paid, and having the force and effect of a judgment. Bidders will be prepared to comply promptly with these terms.
W. P. CARPENTER,
Commissioner.